



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/06/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.9686 of 2022

1. Manikandan
S/o.Rajamanickam
2. Manikandan,
S/o.Saravanan,

... Petitioners/Accused
No.1 & 2

Vs

State rep.by
The Inspector of Police,
Cholapuram Police Station,
Thanjavur District.
(Crime No.172 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Senthilkumar B, Advocate.

For Respondent : M.Muthumanikkam,
Counsel for Government of
Tamilnadu (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory bail in Crime No.172 of 2022 on the file of
the Respondent Police

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 & 2, who apprehend arrest at the
hands of the respondent police for the offences punishable under
Section 379 IPC and Section 21(1) of Mines and Minerals (Development
& Regulation) Act, 1957, in Crime No.172 of 2022, seek anticipatory
bail.

2.The case of the prosecution is that the accused had illegally
transported river sand in two gunny bags without any valid permit.
Hence, the complaint.



3. On the side of the petitioners, it is stated that the petitioners are not connected with the offence and that the petitioners are not having any previous case. Hence, prays to release them on bail.

4. The learned Government Counsel (Crl. Side) appearing for the respondent would submit that the petitioners have illegally transported river sand in two gunny bags and they are not having any previous case.

5. Considering the submissions made by both sides, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned District Munsif cum Judicial Magistrate, Thiruvudaimaruthur and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate/Judge concerned and the petitioners shall appear before the respondent police daily at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioners shall appear before the concerned Magistrate/Judge within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
01/06/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3. THE INSPECTOR OF POLICE,
CHOLAPURAM POLICE STATION,
THANJAVUR DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.SENTHILKUMAR B Advocate SR.No.5117

ORDER

IN

CRL OP(MD) No.9686 of 2022

Date :01/06/2022

SP/JM/SAR IV/02/06/2022/3P/6C